

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

APPLIED FILTER TECHNOLOGY, INC., a  
Washington Corporation,

Plaintiff,

vs.

JEFF WETZEL, individually, and the marital  
community of JEFF WETZEL and JANE  
DOE WETZEL; ENVIRONMENTAL  
SYSTEMS AND COMPOSITES, INC., a  
Washington Corporation,

Defendants.

Case No. C09-1040JLR

**SUPPLEMENTAL DECLARATION OF  
PAUL TOWER IN SUPPORT OF  
PLAINTIFF'S INJUNCTION MOTIONS**

I, Paul Tower, declare that:

1. I am the owner of Applied Filter Technology, Inc., ("AFT") a Washington Corporation and the plaintiff in this case. I submit this declaration to supplement my prior declaration with certain new information relevant to plaintiff's Application for Order to Show Cause (Dkt. # 3).

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SUPP. TOWER DEC. ISO INJUNCTION -1-  
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2 2. In my prior declaration I stated that the Tucson, Arizona project known as "Ina  
3 Road" project would go to bid at the end of July, 2009. Earlier this week I learned from the  
4 consulting engineer on that project that in fact that project would likely not go to bid until the  
5 end of August, 2009.

6 3. Subsequent to my prior declaration I learned that Mr. Wetzel had continued to  
7 contact one of AFT's chemical suppliers, via phone, including a conversation on Friday, July  
8 24, 2009. In these conversations Mr. Wetzel pressured the supplier, repeatedly, to sell to Mr.  
9 Wetzel and ESC a proprietary (to the supplier) chemical compound that was formulated  
10 specifically to be used in one of AFT's proprietary processes, SulfrStrip, and the supplier sells to  
11 AFT under a license from the supplier to AFT. Mr. Wetzel also apparently pressured this  
12 supplier to terminate his exclusive license arrangement with AFT, and to divulge to Mr. Wetzel  
13 information on how to use the chemical in processing biogas, and other information that  
14 indicates that Mr. Wetzel intends to use the AFT proprietary process for ESC's purposes. These  
15 conversations included references by Mr. Wetzel to Ina Road.

16 4. Therefore, I continue to believe that if the Court does not grant immediate interim  
17 injunctive relief to AFT as requested in AFT's Application for Order to Show Cause (Dkt. #3),  
18 including a prohibition against Mr. Wetzel having discussions with AFT's suppliers premised on  
19 obtaining products for use in the SulfrStrip process, AFT will be immediately and irreparably  
20 harmed by damage to the goodwill with its suppliers and customers that AFT has worked so  
21 hard to build.

22 5. As I stated in my prior declaration, one of AFT's most valuable assets is the  
23 goodwill that it has generated by providing unique, proprietary, and superior processes for

1 filtration of biogas. If Mr. Wetzel is permitted to continue to use AFT's proprietary processes in  
2 discussions with customers, or suppliers such as the exclusive supplier that Mr. Wetzel has been  
3 contacting, that will undermine the goodwill developed by AFT based on the uniqueness, and  
4 confidentiality, of its products, processes and relationships.

5 **I declare under penalty of perjury that the foregoing is true and correct to the best**  
6 **of my knowledge.**

7 DATED this 30 day of July, 2009.

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11 Paul Tower  
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